

### **Listing of Claims:**

Claim 1 (**currently amended**): A method comprising communicating to a potential consumer that consuming **dietary calcium in** a calcium-containing product may have a beneficial effect on body weight or body fat, the communicating being by an entity having a commercial interest in the consumption of the product, **and wherein the communicating is by a method selected from the group consisting of verbal communication, pamphlet distribution, print media, audio tapes, magnetic media, digital media, audiovisual media, billboards, advertising, newspapers, magazines, direct mailings, radio, television, electronic mail, electronic media, banner ads, fiber optics, and information on a product package, insert or label or directly accompanying the product.**

Claim 2 (original): The method of claim 1, wherein the communicating comprises providing information about suboptimal calcium consumption.

Claim 3 (original): The method of claim 1, further comprising communicating an effect of calcium consumption on osteoporosis.

Claim 4 (**cancelled**).

Claim 5 (original): The method of claim 1, wherein the effect on body weight comprises preventing or reducing obesity.

Claim 6 (original): The method of claim 1, wherein the effect on body weight comprises preventing or reducing weight gain.

Claim 7 (original): The method of claim 1, wherein the effect on body weight comprises weight loss.

Claim 8 (original): The method of claim 1, wherein the effect on body weight comprises inducing a metabolic change in an individual.

Claim 9 (original): The method of claim 8, wherein the metabolic change comprises decreasing intracellular calcium concentrations ( $[Ca^{2+}]_i$ ), stimulating lipolysis, inhibiting lipogenesis, increasing the expression of white adipose tissue uncoupling protein 2 (UCP2), reducing serum insulin levels, thermogenesis, or decreasing the levels of calcitrophic hormones.

Claim 10 (original): The method of claim 1, wherein the effect on body weight comprises preventing or reducing weight gain and/or adiposity in children.

Claim 11 (original): The method of claim 1, wherein the communication pertains to a class of products to which the calcium-containing product belongs.

Claim 12 (original): The method of claim 1, wherein the product is a dairy product.

Claim 13 (original): The method of claim 1, wherein the product is a dietary supplement.

Claim 14 (original): The method of claim 1, wherein the product is a non-dairy foodstuff naturally high in calcium.

Claim 15 (original): The method of claim 1, wherein the product is a foodstuff fortified with calcium.

Claim 16 (original): The method of claim 1, wherein the product is selected from the group consisting of milk, yogurt and cheeses.

Claim 17 (original): The method of claim 1, wherein the product is a liquid supplemented with calcium.

Claim 18 (original): The method of claim 1, wherein the entity is the manufacturer of the product.

Claim 19 (original): The method of claim 1, wherein the entity is a retailer of the product.

Claim 20 (original): The method of claim 1, wherein the entity is a trade association whose members sell the product.

Claim 21 (original): The method of claim 1, wherein the product is identified by a trademark.

Claim 22 (**currently amended**): A method for inducing the consumption of dairy products by a commercial entity having a financial interest in the sale of the products, wherein the entity distributes information to potential consumers of the dairy products describing weight-control benefits of dairy products attributable to the consumption of the products, **and wherein the information is distributed by a method selected from the group consisting of verbal communication, pamphlet distribution, print media, audio tapes, magnetic media, digital media, audiovisual media, billboards, advertising, newspapers, magazines, direct mailings, radio, television, electronic mail, electronic media, banner ads, fiber optics, and information on a product package, insert or label or directly accompanying the product.**

Claim 23 (original): The method of claim 22 wherein the distributed information recommends at least about 57 portions of dairy per month.

Claim 24 (**currently amended**): A method for promoting the consumption of a calcium-containing product wherein said method comprises the public distribution of information describing the obesity-control benefits of said product which are attributable to the consumption of calcium in said product, and wherein said distribution of said information is achieved by a method selected from the group consisting of verbal communication, pamphlet distribution, print media, audio tapes, magnetic media, digital media, audiovisual media, billboards, advertising, newspapers, magazines, direct mailings, radio, television, electronic mail, braille, electronic media, banner ads, fiber optics, laser light shows, and information on a product package, insert or label or directly accompanying the product.

Claim 25 (**cancelled**).

Claim 26 (original): The method according to claim 24; wherein said information pertains to a class of products to which said calcium-containing product belongs.

Claim 27 (original): The method according to claim 24, wherein said class of products is dairy products.

Claim 28 (**new**): The method of claim 1, wherein the communication recommends consuming calcium daily in an amount of at least about 773 mg.

Claim 29 (**new**): The method of claim 1, wherein the communication recommends consuming calcium daily in an amount of at least about 1000 mg.

Claim 30 (**new**): The method according to 1, wherein the communication recommends consuming calcium daily in an amount of at least about 1,346 mg.

Claim 31 (**new**): The method of claim 22 wherein the distributed information recommends at least about 102 portions of dairy per month.